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liberty to procure the signature of the patentee."

"I did not. I refused to do so on the ground that he was not of sound mindthat he was not a responsible person."

"When was this?"

"I have no record of the date, but it was after the 12th of May, 1860—the date of Mr. Benedict's admission to the asylum."

"That is all," said Mr. Balfour.

Mr. Cavendish tried to cross-examine, but without any result, except to emphasize the direct testimony, though he tried persistently to make the witness remember that, while Mr. Belcher might have shown him the assignment, and that he read it for the purpose which he had stated, it was another paper to which he had wished to secure the patient's signature.

Samuel Yates was next called.

"You are a member of our profession, I believe," said Mr. Balfour.

"I am, sir."

"Have you ever been in the service of the defendant in this case?"

"Yes, sir."

"What have you done for him?"

"I worked many months in the endeavor to ascertain whether Paul Benedict was liv-

ing or dead."

"It isn't essential that we should go into that; and as the defendant has testified that he procured the autograph letters which are in the possession of the Court from you, I presume you will corroborate his testimony."

"He did procure them of me, sir."

"Did he inform you of the purpose to which he wished to put them?"

"He did, sir. He said that he wished to verify some signatures."

"Were you ever employed in his library at Sevenoaks, by his agent?"

"Yes, sir, I wrote there during several weeks."

"May it please the Court, I have a letter in my hand, the genuineness of whose signature has been recognized by the defendant, written by Robert Belcher to Paul Benedict, which, as it has a direct bearing upon the case, I beg the privilege of placing in evidence. It was written the next day after the date of the alleged assignment, and came inclosed from Benedict's hands to mine."

Mr. Belcher evidently recalled the letter, for he sat limp in the chair, like a man stunned. A fierce quarrel then arose be- Mr. Belcher and his counsel conversed again tween the counsel concerning the admission of the letter. The Judge examined it, and said that he could see no reason why it | "The defendant and his client evidently

should not be admitted. Then Mr. Balfour read the following note:

"SEVENOAKS, May 5, 1860. "DEAR BENEDICT: I am glad to know that you are better. Since you distrust my pledge that I will give you a reasonable share of the profits on the use of your patents, I will go to your house this afternoon, with witnesses, and have an independent paper prepared, to be signed by myself, after the assignment is executed, which will give you a definite claim upon me for royalty. We will be there at four o'clock.

> "Yours, ROBERT BELCHER."

"Mr. Yates," said Mr. Balfour, "have you ever seen this letter before?"

Yates took the letter, looked it over, and then said:

"I have, sir. I found the letter in a drawer of the library-table, in Mr. Belcher's house at Sevenoaks. I delivered it unopened to the man to whom it was addressed, leaving him to decide the question as to whether it belonged to him or the writer. I had no idea of its contents at the time, but became acquainted with them afterward, for I was present at the opening of the letter."

"That is all," said Mr. Balfour.

"So you stole this letter, did you?" in-

quired Mr. Cavendish.

"I found it while in Mr. Belcher's service, and took it personally to the man to whom it was addressed, as he apparently had the best right to it. I am quite willing to return it to the writer, if it is decided that it belongs to him. I had no selfish end to serve in the affair."

Here the Judge interposed.

"The Court," said he, "finds this letter in the hands of the plaintiff, delivered by a man who at the time was in the employ of the defendant, and had the contents of the room in his keeping. The paper has a direct bearing on the case, and the Court will not go back of the facts stated."

Mr. Cavendish sat down and consulted his client. Mr. Belcher was afraid of Yates. The witness not only knew too much concerning his original intentions, but he was a lawyer who, if questioned too closely and saucily, would certainly manage to bring in facts to his disadvantage. Yates had already damaged him sadly, and Mr. Belcher felt that it would not do to provoke a redirect examination. So, after a whispered colloquy with his counsel, the latter told the witness that he was done with him. Then for some time, when Mr. Balfour rose and said, addressing the Court:

need time for consultation, and, as there is a little preliminary work to be done before I present another witness, I suggest that the Court take a recess of an hour. In the meantime, I wish to secure photographic copies of the signatures of the two autograph letters, and of the four signatures of the assignment. I ask the Court to place these documents in the keeping of an officer, to be used for this purpose, in an adjoining room, where I have caused a photographic apparatus to be placed, and where a skillful operator is now in waiting. I ask this privilege, as it is essential to a perfect demonstration of the character of the document on which the decision of this case must turn."

The Judge acceded to Mr. Balfour's request, both in regard to the recess and the use of the paper; and the assembly broke up into little knots of earnest talkers, most of whom manifested no desire to leave the

building.

Mr. Cavendish approached Mr. Balfour, and asked for a private interview. When they had retired to a lobby, he said:

"You are not to take any advantage of this conversation. I wish to talk in confidence."

"Very well," said Mr. Balfour.

devilish bad box. His principal witness has | what was going on, and, as the promised run away, his old friends all turn against him, and circumstantial evidence doesn't befriend him. I have advised him to stop this suit right here, and make a compromise. No one wants to kill the General. He's a sharp man, but he is good-natured, and a useful citizen. He can handle these patents better than Benedict can, and make money enough for both of them. What could Benedict do if he had the patents in his hands? He's a simpleton. He's a nobody. he had tried to use for his own base pur-Any man capable of carrying on his business would cheat him out of his eye-teeth."

"I am carrying on his business, myself, just at this time," remarked Mr. Balfour,

seriously.

"That's all right, of course; but you know that you and I can settle this business better for these men than they can set-

tle it for themselves."

"I'll be frank with you," said Mr. Balfour. "I am not one who regards Robert Belcher as a good-natured man and a useful citizen, and I, for one—to use your own phrase want to kill him. He has preyed upon the the one who seemed to be conscious of public for ten years, and I owe a duty not only to my client but to society. I understand how good a bargain I could make advanced to the stand with the air of one

with him at this point, but I will make no bargain with him. He is an unmitigated scoundrel, and he will only go out of this court to be arrested for crime; and I do not expect to drop him until I drop him into a penitentiary, where he can reflect upon his forgeries at leisure."

"Then you refuse any sort of a compro-

mise."

"My dear sir," said Mr. Balfour, warmly, "do you suppose I can give a man a right to talk of terms who is in my hands? Do you suppose I can compromise with crime? You know I can't."

"Very well—let it go. I suppose I must go through with it. You understand that

this conversation is confidential."

"I do; and you?" "Oh, certainly!"

CHAPTER XXVII.

IN WHICH A HEAVENLY WITNESS APPEARS WHO CANNOT BE CROSS-EXAMINED, AND BEFORE WHICH THE DEFENSE UTTERLY BREAKS DOWN.

AT the re-assembling of the Court, a large crowd had come in. Those who had heard "My client," said Cavendish, "is in a the request of Mr. Balfour had reported testimony seemed to involve some curious features, the court-room presented the most crowded appearance that it had worn since

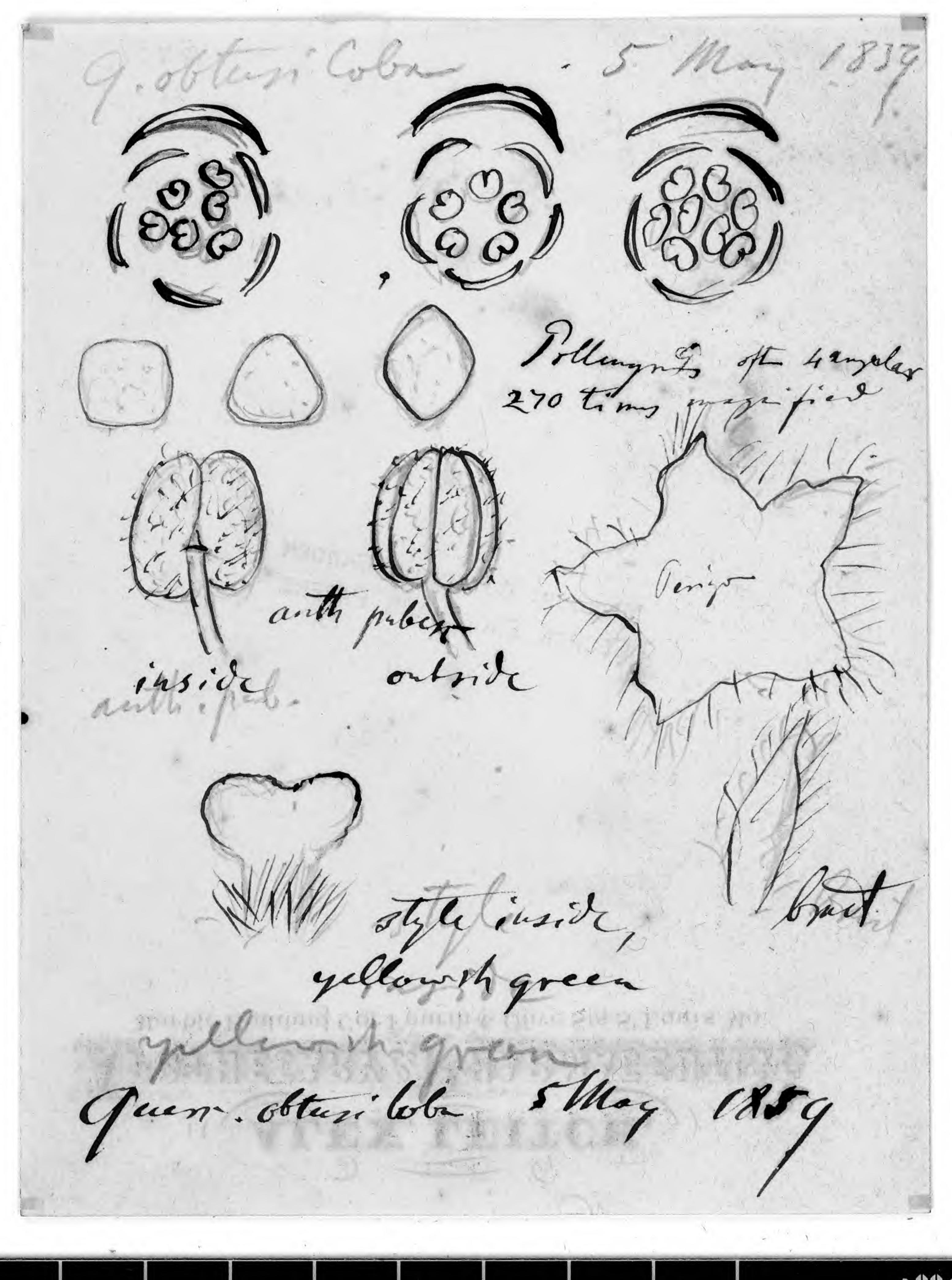
the beginning of the trial.

Mr. Belcher had grown old during the hour. His consciousness of guilt, his fear of exposure, the threatened loss of his fortune, and the apprehension of a retribution of disgrace were sapping his vital forces, minute by minute. All the instruments that poses were turned against himself. The great world that had glittered around the successful man was growing dark, and, what was worse, there were none to pity him. He had lived for himself; and now, in his hour of trouble, no one was true to him, no one loved him—not even his wife and children!

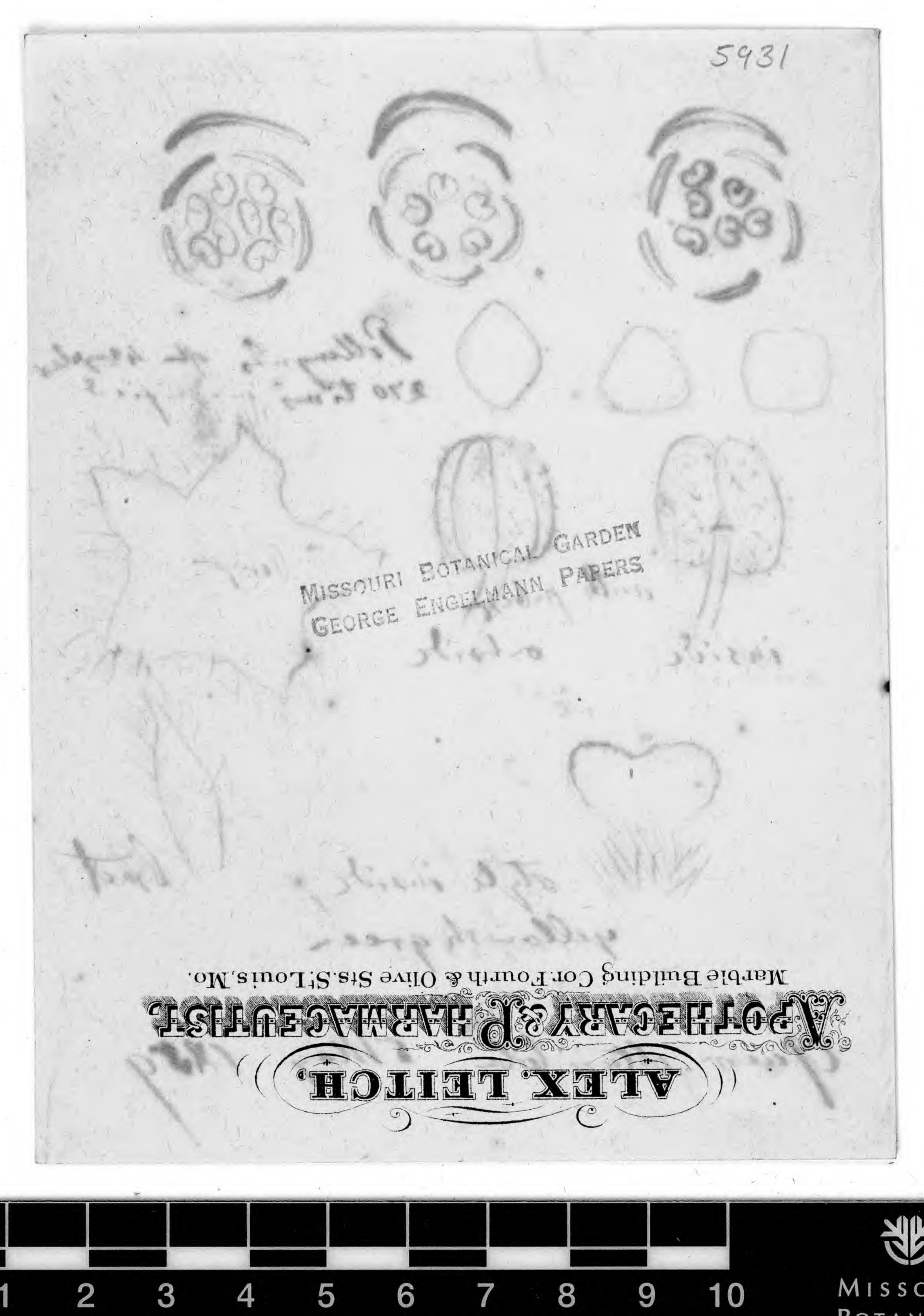
He gave a helpless, hopeless sigh, as Mr. Balfour called to the witness stand Professor

Albert Timms.

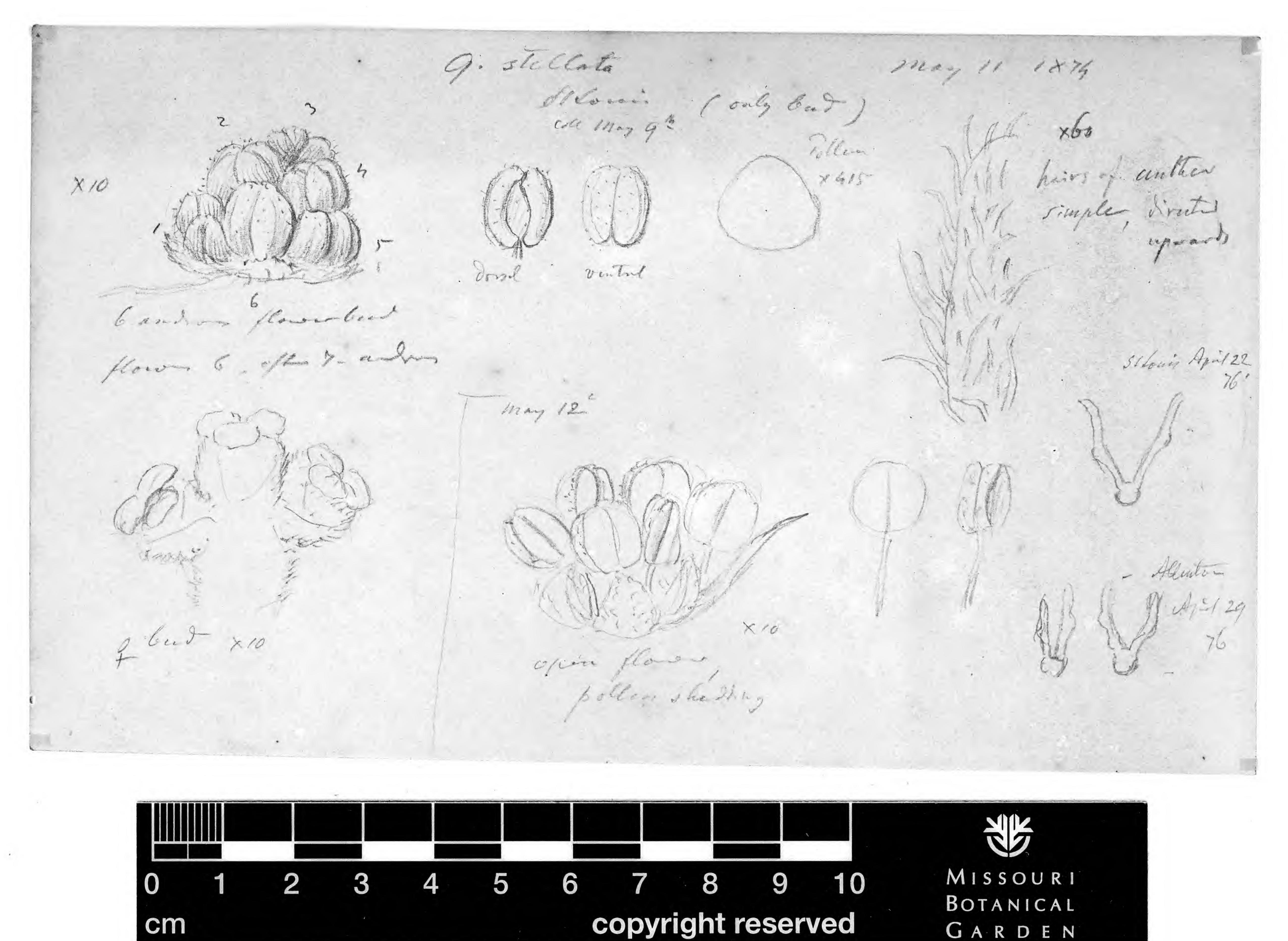
Professor Timms was the man already described among the three new witnesses, as bearing the world upon his shoulders, and to find it so inconsiderable a burden. He





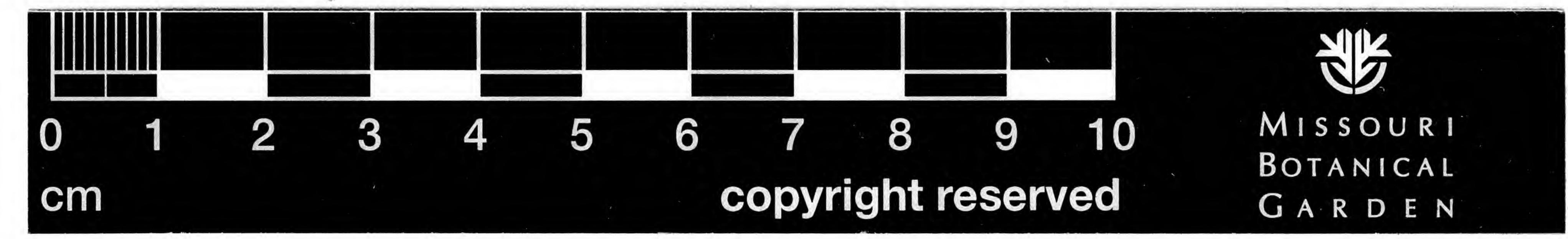


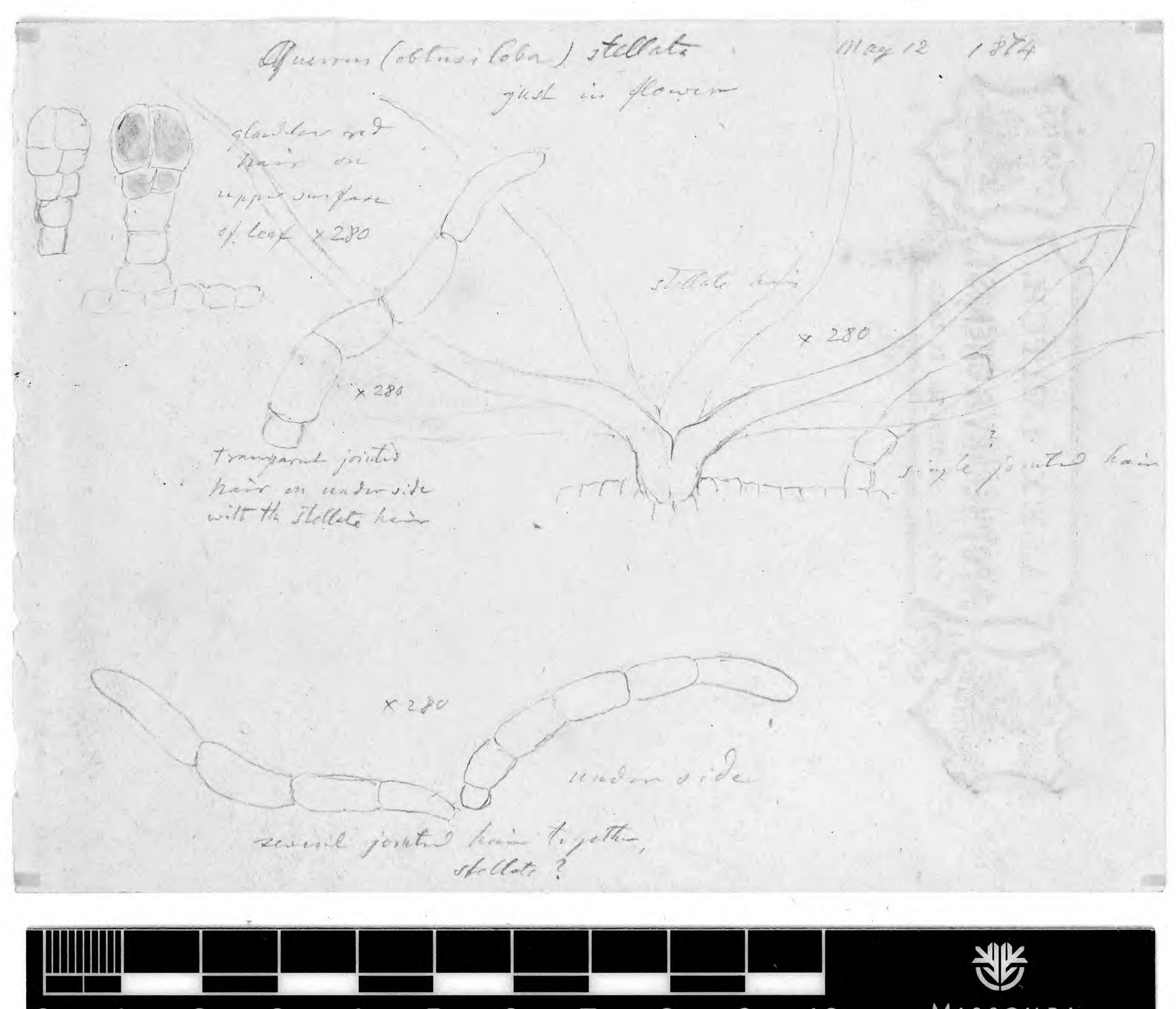
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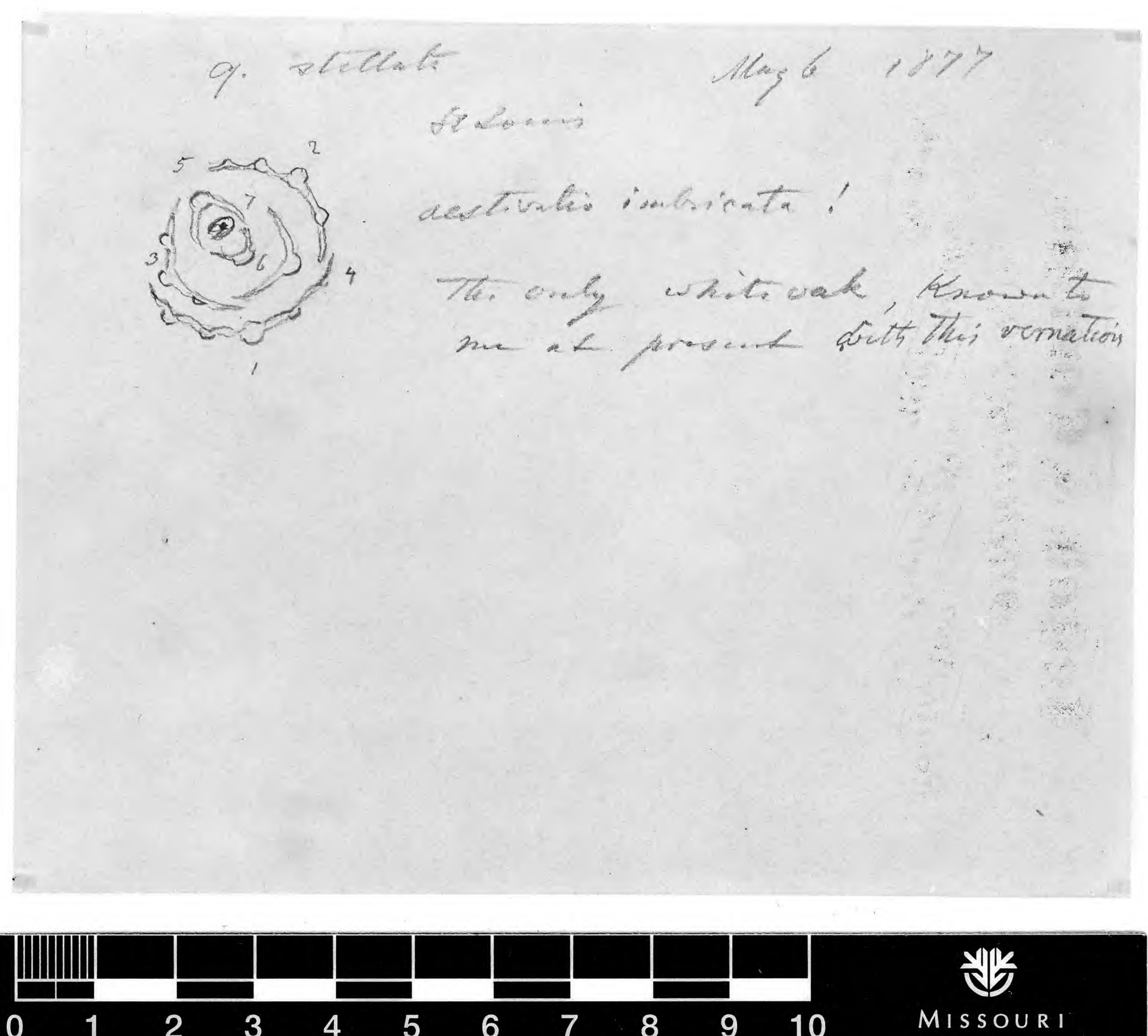






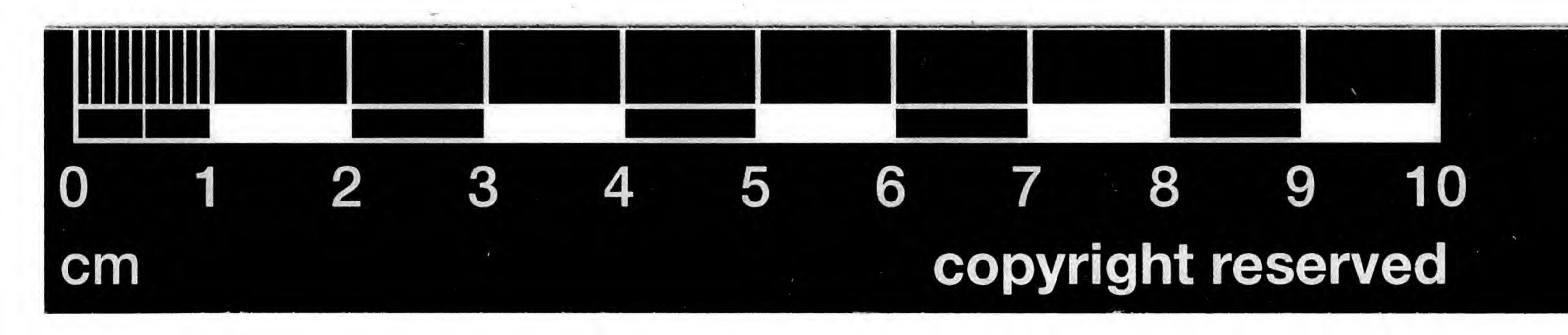
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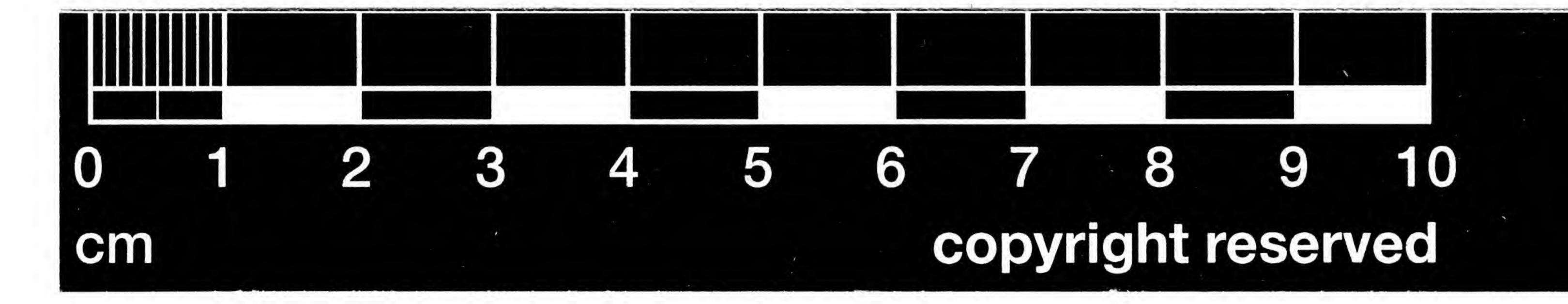
Thorane from Provence was billeted upon him. The Count, a well-bred and highly cultivated nobleman, did everything in his power to make his presence as little burdensome as possible, and even refrained from hanging up his maps on the Chinese wallpaper. The friends of the family were never wearied in dwelling on the Herr Rath's good fortune that so gentlemanly an occupant had fallen to his lot. But the Herr Rath would listen to no palliative suggestions; he was almost beside himself with rage at seeing his best rooms, the apple of his eye, seized upon by strangers and enemies; and, added to this, he was so fierce a partisan for "Old Fritz," that during the whole time of the Count's stay, which extended to about three years, Rath Goethe went about with a thorn in his flesh, and on one occasion gave vent to his long pent-up wrath in such terms that only the urgent intercessions of his wife and friends saved him from immediate arrest. The mother and children were at once on the best of terms with the Count, who often sent the children cake and ices from his table; but the ices, to the children's great distress, the mother always threw out of the window, declaring, in her honest simplicity, that she did not believe the human stomach could digest ice, be it ever so much sweetened. Goethe dwells at some length on this very important period of his boyhood, and the influences upon his own growth and development which arose from Count Thorane's residence in his father's house.

The rooms which the Count occupied consist of one large central drawing-room rear, the children's bedroom. having four windows to the street, with rooms opening out of it on each side; that on the left having two windows, and the smaller one on the right but one. The Count was subject to fits of dejection or hypochondria, at which times he would re- Goethe house seems to have been little tire for days and see no one but his servant. | thought of. But the renewed interest in a He filled the post of Lieutenant du Roi, a sort of Judge-Advocate, whose business it ened by his death, brought again into notice was to decide upon all cases of strife arising between soldiers or between soldiers and citizens; but when his hypochondria seized | was, were at first very much astonished at him, not the most urgent cases could draw | the frequent applications to see the house. him from the little one-windowed nest to The first one occurred in the year after the right of the drawing-room, which he had | Goethe's death, and, from that time, the chosen for his "growlery." The family number of visitors increased day by day. learned from the servant's gossip that the There is on the fourth floor a small attic

of a Chinese pattern. Hardly had the old Rath got them furnished to his mind when the Seven Years' War broke out; Frankfort righteous decision, and hence his determiwas occupied by the French, and the Count | nation to retire entirely at such seasons from all participation in human affairs.

> Passing up the stairs from the second to the third floor, we notice the monograms J. C. G., C. E. G., in the wrought-iron stair railing. We cross the cheerful antechamber and come to the apartments which the family occupied. The division of the rooms is slightly different from that on the floor below, the central room being smaller, with but three windows, the side rooms having each two. The central room was the family drawing-room; here, as has been mentioned, all the pictures were hung after the rebuilding, hence it was usually called the "picture-room." Count Thorane, a great lover of art, hearing the picture-room spoken of on the night of his arrival, insisted upon seeing it at once, and went over each picture with a candle in his hand. To the left of the picture-room was the Herr Rath's library, study, and special sanctum. Besides its two front windows it has a little window in the side wall, giving a good view up the street. A few lines in the Autobiography explain its use. "I slipped home," Goethe writes, "by a roundabout way, for on the side toward the kleiner Hirschgraben my father, not without the opposition of his neighbor, had had a small guckfenster (peep-hole) made in the wall; this side we avoided when we did not wish him to see us coming home." To the right of the picture-room was the Frau Rath's sitting-room, and behind and communicating with it, looking toward the court, the parents' bedroom,—the room in which the poet was born,—and in the wing, still further in the

> On the fourth floor we come to the Mansard rooms,—the poet's rooms,—which require a few words of preface. From the time of its sale in 1795 by Goethe's mother until the death of the poet in 1832, the great man's history which is always awakthe house in which Goethe was born. The Roessing family, in whose possession it



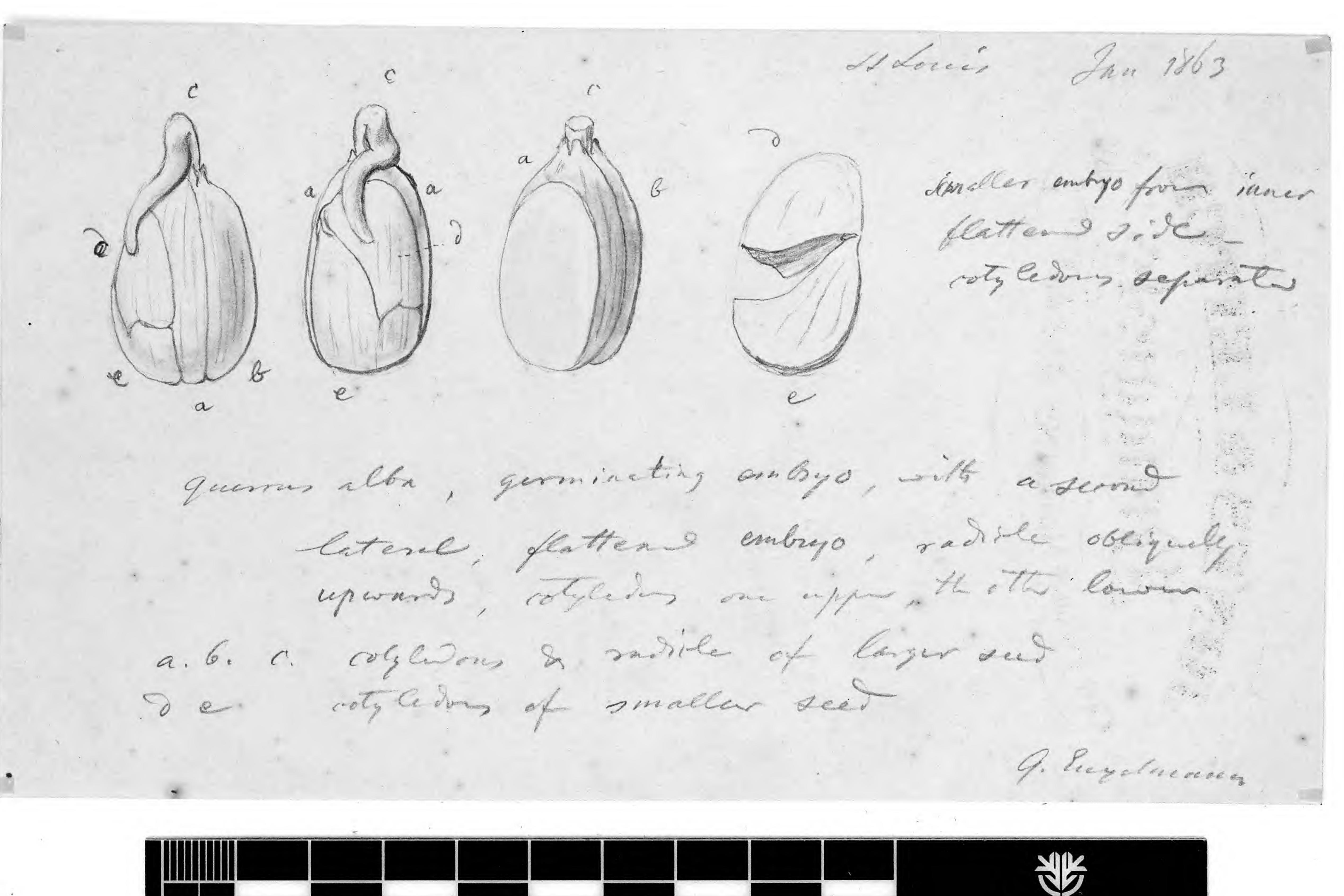
them as Goethe's chamber where he had written his earlier works. Of course, it was unconsciously added to the apocryphal character of her book ("Goethe's Correspondence with a Child"), by having a dwelt upon the coincidence that the rich man's son must go to the garret to mount his Pegasus. But the whole romance of dust by Dr. G. H. Otto Volger, who, with true German patience and industry, has so thoroughly investigated every point in connection with the Goethe mansion. It is not necessary to follow Dr. Volger into all the details of his proof. The chief points are: 1st. That the so-called Werther room is not in the gable, and has no rooms communicating with it. 2d. That it never has a ray of morning sun. In regard to the first point, Goethe constantly speaks of his room as a gable room (Giebelzimmer), having other rooms communicating with it. In regard to the second point, the fact that Goethe's room had the morning sun is established by the poet's well-known account of his morning sacrifice to the Almighty, after the Old Testament fashion, when the rays of the morning sun, concentrated through a burning-glass, were made to light the pastilles on forward to as an honor and a pleasure. the boy's extemporized altar. Dr. Volger The house came to be generally known selects the long celebrated attic as the place where the silk-worms were kept, and where the engravings were bleached, as so circumstantially described in the Autobiography.

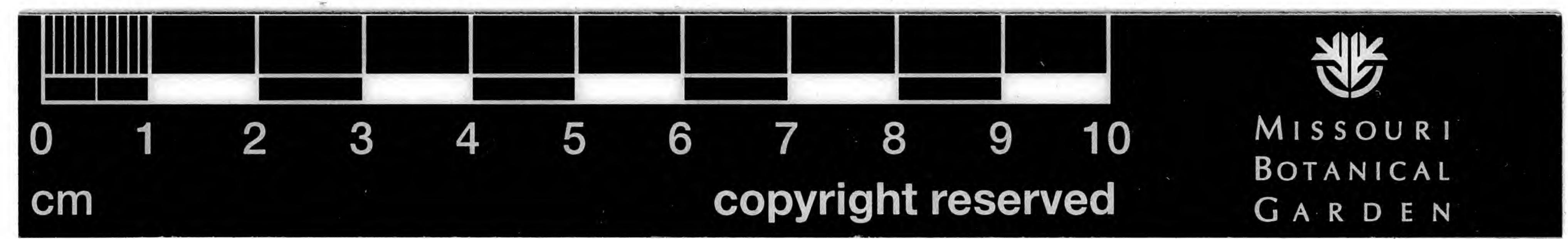
Passing by the Werther room, which is directly to the right on reaching the top of the staircase, and crossing the antechamber, similar to those on the other floors, one comes to the poet's rooms. The central one is a pleasant and spacious reception-room, where the son of the house could receive during his boyhood, was, perhaps, amply with dignity, and without apology, the friends and the visitors of distinction whom the success of "Goetz" and of "Werther" attracted to him from every quarter. It stands at pres-

room to which some obscure tradition was | ent bare and cheerless, but we can picture attached as having been Goethe's room. to ourselves the simple furniture, the books, The Roessings accepted this tradition with- | the pictures, the casts from the antiqueout investigation, and, thus, for thirty-five | heads of the Laocoon group, and of Niobe years, it was the custom to conduct visitors | and her children—and the minerals, and the at once to this little attic and point it out to | natural curiosities which bore witness to the mental activity and versatility of its occupant. The house directly opposite is the not long before it got the name of the only one in the Hirschgraben, except the Werther-Zimmer, and Bettina von Arnim | Goethe mansion, which remains unchanged, so that, in looking from the poet's window, the outline and general effect of the opposite house are precisely what they were when the view of the Werther-Zimmer engraved as boy-worshiper stood in the early morning a frontispiece to it. So striking a confir- light waiting for the sun to peer over its roof mation of the supposed fondness of the and kindle his altar-fire. This house, in the Muses for garrets could not fail to be Goethes' time, was occupied by the family noted, and many a sage visitor doubtless | Von Ochsenstein, whose sons were Wolfgang's playmates.

The last years of Goethe's residence at home, before he accepted the invitation of the the Werther attic has been crumbled in the | Grand Duke of Saxe-Weimar, were those of his early fame as the author of "Goetz" and "Werther," and his growing reputation brought many new elements into the family life. Everybody of distinction, especially of literary distinction, who came to Frankfort, sought the acquaintance of Goethe, and the stately house in the Hirschgraben was enlivened by visitors of many qualities, who were received with a formal but generous hospitality. The old Rath did his best to preserve a polite silence when sentiments were uttered which shocked all his preconceptions, while the mother won all hearts by her good-nature, jollity, and sound common sense. The departure of the poet for Weimar made no very great change in this respect; the admirers of the poet came to pay their respects to his parents, and a visit to Goethe's mother, especially, was looked among Goethe's friends as the Casa Santa, a name it probably first received from Wieland.

In 1779, the poet came himself, bringing with him his friend, the Grand Duke of Saxe-Weimar. Nobles, trades-people, and hotelkeepers were open-mouthed with wonder at seeing a Grand Duke dwelling in a simple citizen's house. But the disappointment of the father that his son had not followed the path of a jurist, for which he had drilled him made up for when the son returned home a Privy-Councillor (Geheim-Rath), and brought a Grand Duke to Frankfort as his guest.

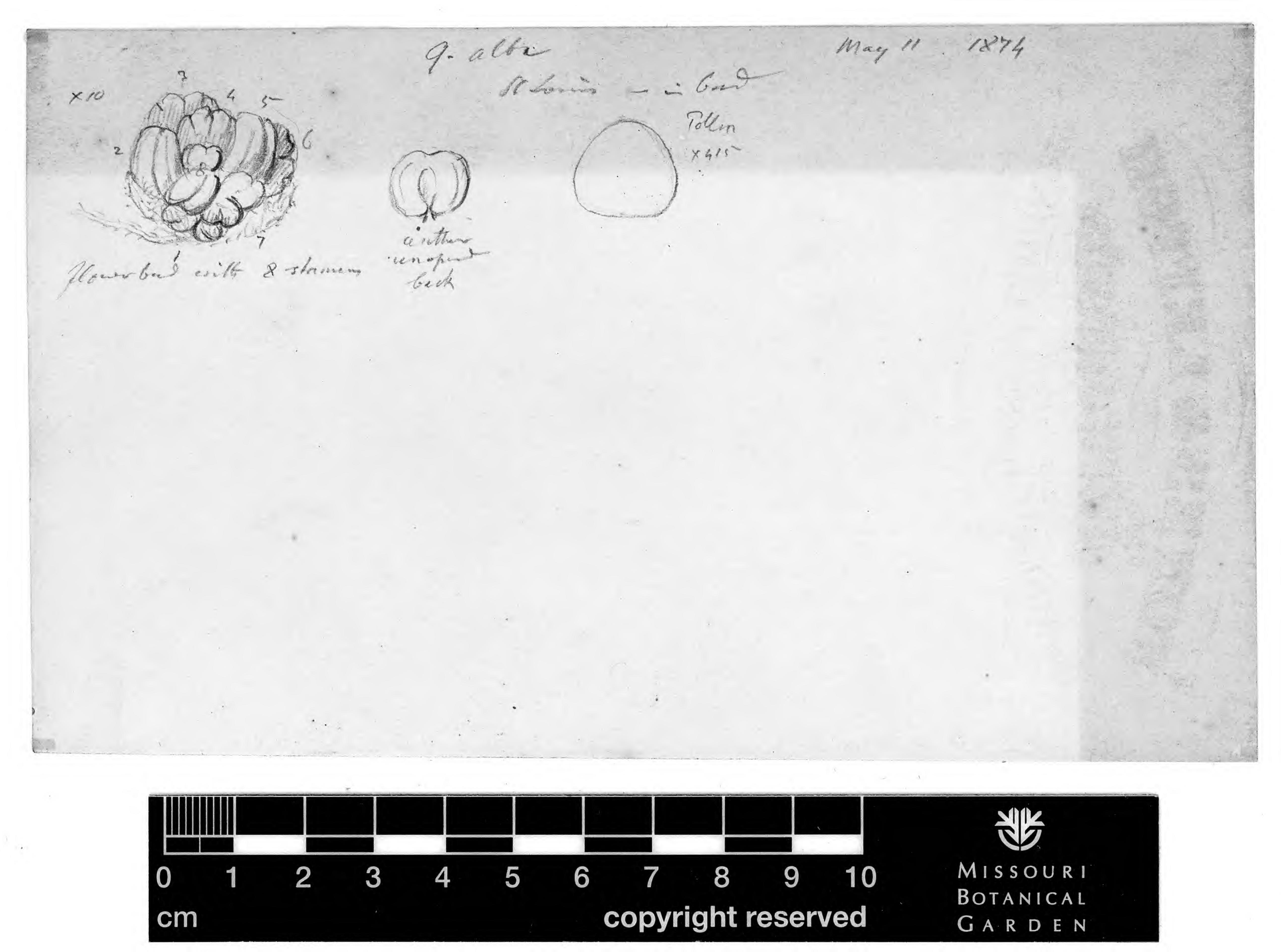






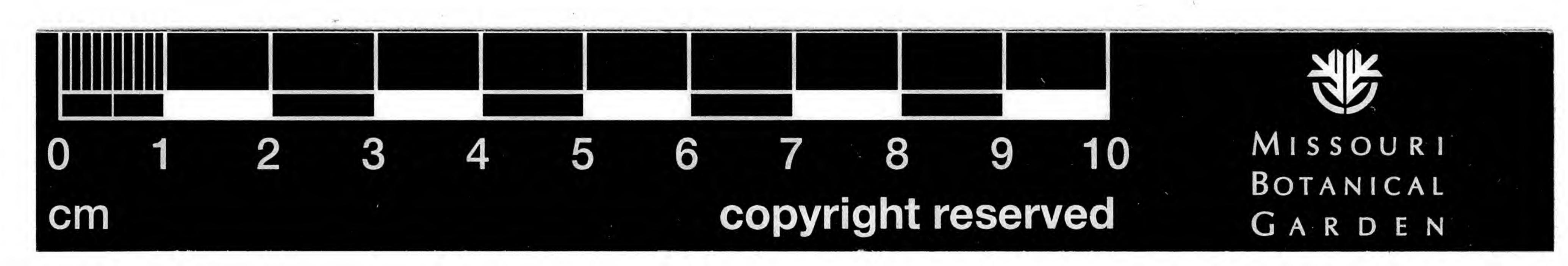
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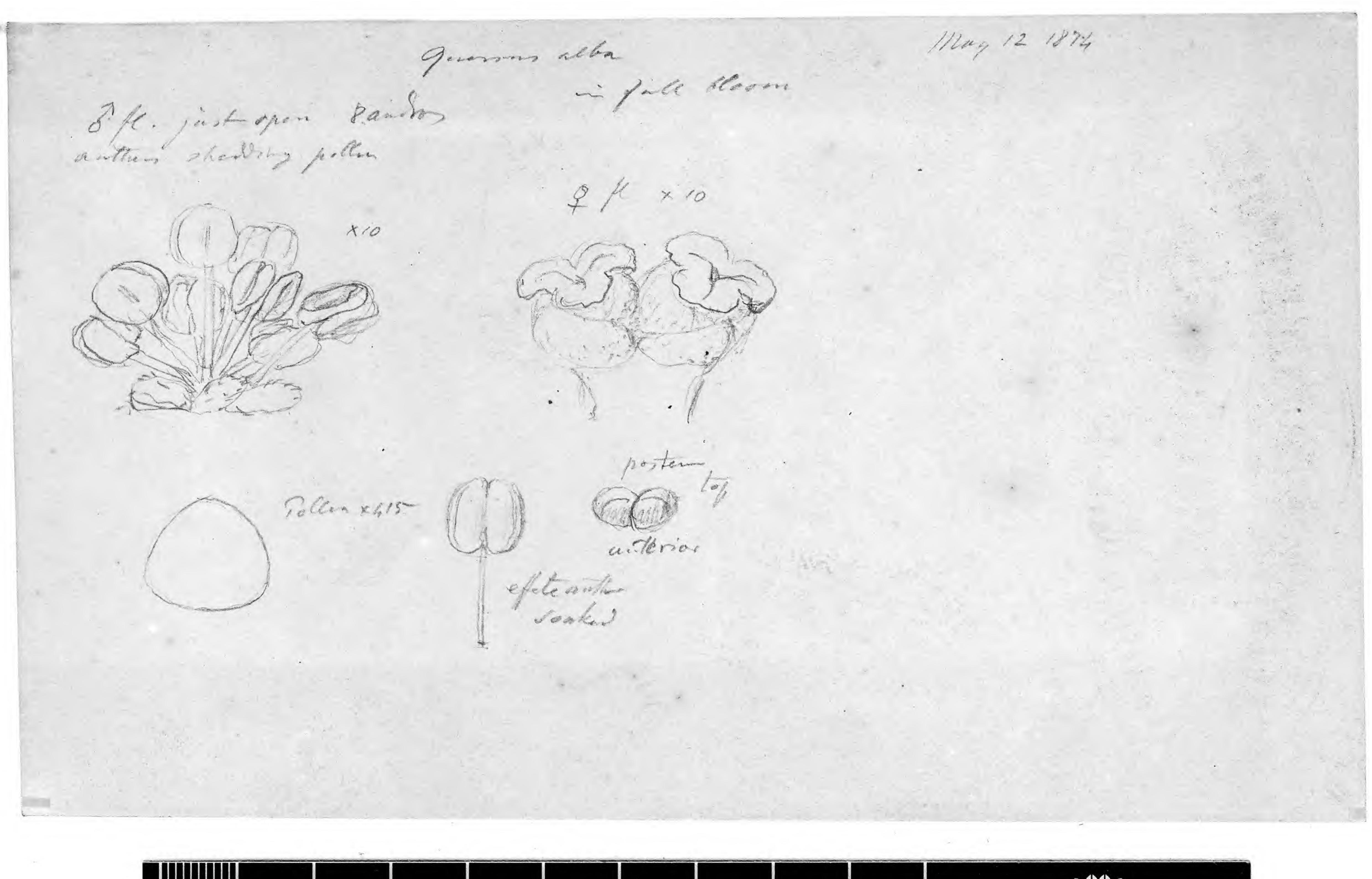






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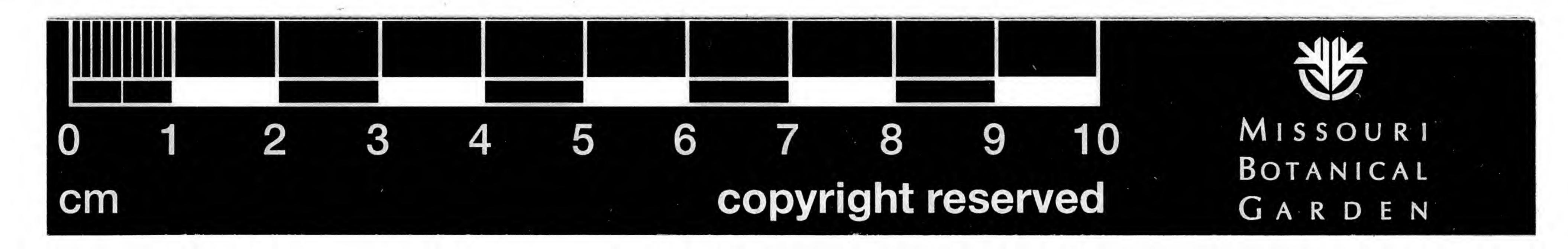








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Albert April 22 1876 leaves folded closely

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